

1918, from the State of Arkansas into the State of Michigan, of a quantity of an article, labeled in part "Surety Brand Cotton Seed Meal Made by Union Seed & Fertilizer Co., Pine Bluff, Ark.," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

	Per cent
Crude fiber-----	16.90
Crude protein-----	33.47
Total nitrogen-----	5.355

Misbranding of the article was alleged in that the statements appearing on the label affixed to the sacks containing the article, regarding the article, to wit, "Protein Not less than 36.00 per cent" and "Fibre Not more than 14.00 per cent," were false and misleading in that they represented to purchasers of the article that the article contained not less than 36 per cent of protein and not more than 14 per cent of fiber, whereas the article contained less than 36 per cent of protein and more than 14 per cent of fiber. The article was further misbranded in that it was labeled as above stated so as to deceive and mislead the purchaser into the belief that the article contained not less than 36 per cent of protein and not more than 14 per cent of fiber, whereas the article contained less than 36 per cent of protein and more than 14 per cent of fiber.

On April 5, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**7907. Adulteration and misbranding of wheat shorts. U. S. \* \* \* v. 400 Sacks of Alleged Wheat Shorts. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11360, S. No. C-1478.)**

On September 26, 1919, the United States attorney for the Southern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 400 sacks of alleged wheat shorts, at Mobile, Ala., alleging that the article had been shipped on September 8, 1919, by the Peerless Milling & Feed Co., Cairo, Ill., and transported from the State of Illinois into the State of Alabama, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in that substances had been mixed and packed with the article so as to reduce or lower or injuriously affect its quality and strength, and that substances, namely, ground wheat bran and ground screenings, had been mixed, packed, and substituted wholly or in part for the alleged article, and further in that the product had been mixed and powdered in a manner whereby damage or inferiority was concealed.

Misbranding of the article was alleged in that the statement on the label borne on the sacks, regarding the article, to wit, "Wheat Shorts from Wheat Products and Ground Screenings," was false and misleading and deceived and misled the purchaser. Further misbranding was alleged in that the article was an imitation of, and sold under the distinctive name of, another article, namely, wheat shorts.

On October 23, 1919, the Peerless Milling & Feed Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimants upon the payment of the costs of the proceedings and the execution of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*